

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Diego BRITA et al.**

Serial No. 10/537,079

Filed **June 1, 2005**

For **MAGNESIUM DICHLORIDE-BASED  
ADDUCTS AND CATALYST COMPO-  
NENTS OBTAINED THEREFROM**

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) Art Unit: 1755  
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) Examiner: J. E. McDonough  
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)  
)

Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**


Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:

- ☒ Postcard
- ☒ Transmittal Letter
- ☒ Petition Under 37 CFR 1.53 to Correct Official Filing Receipt (in duplicate) (2 pages)
- ☒ Attachment A (copy of ADS) (4 pages)
- ☒ Attachment B (copy of marked-up Filing Receipt) (3 pages)

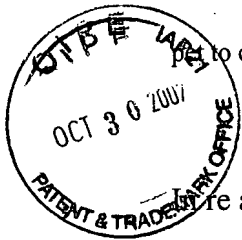
Respectfully submitted,

**DIEGO BRITA ET AL.**

By

  
**Jarrod N. Raphael**  
Registration No. 55,566  
Agent for Applicant

Basell USA Inc.  
912 Appleton Road  
Elkton, Maryland 21921  
Date: **October 29, 2007**



to correct FR-FE6106A

FE 6106 + 6085 (US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Diego BRITA et al.**

Serial No. **10/537,079**

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 CFR 1.53 TO CORRECT OFFICIAL FILING RECEIPT**

**EXPEDITED HANDLING**

The Filing Receipt mailed October 6, 2005 in connection with the above-captioned application contains the following errors:

Applicant(s)

“Brita Diego” should be deleted and insert instead --Diego Brita--.

This information was correctly included in the Application Data Sheet submitted on June 1, 2005 with the original filing of the application. A copy is enclosed herewith as Attachment A. Additionally, submitted herein is a marked-up copy of the Filing Receipt mailed October 6, 2005 as Attachment B.

Moreover, Applicant respectfully believes the language highlighted below under “Domestic Priority data as claimed by applicant” on the Filing Receipt has been printed in error:

....and claims benefit of 60/482,697 06/26/2003 \*

(\*) Data provided by applicant is not consistent with PTO records

In particular, Applicant respectfully believes the data contained under the Domestic Priority section on the Filing Receipt is correct, and accordingly respectfully requests the Patent Office to either delete the asterisk, or explain what data the Patent Office believes is not consistent with PTO records.

Applicant previously phoned the USPTO on, or around October 27, 2005 regarding this matter, and to date no response has been received.

As such, Applicant respectfully requests the Patent Office to issue a Corrected Official Filing Receipt for the above-captioned application.

Furthermore, Applicant requests the petition fee of \$130.00, and expedited handling fee of \$130.00 to be charged to Deposit Account No. 08-2336. For this reason, this Petition is submitted in duplicate. However, since Applicant respectfully believes the errors regarding the filing receipt data for this application are not the fault of Applicant, Applicant courteously requests the Petition fee be refunded to Deposit Account No. 08-2336.

Respectfully submitted,

**DIEGO BRITA ET AL.**


11/02/2007 GFREY1 00000125 082336 10537079

01 FC:1617 130.00 DA  
02 FC:1464 130.00 DA

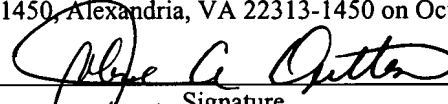
Basell USA Inc.  
912 Appleton Road  
Elkton, Maryland 21921

October **29**, 2007

Agent's Telephone No.: 410-996-1750  
Agent's Facsimile No.: 410-996-1560  
Agent's E-mail: [jarrod.raphel@basell.com](mailto:jarrod.raphel@basell.com)

By   
Jarrod N. Raphael  
Reg. No. 55,566  
Agent for Applicants

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on October **29**, 2007.

  
Signature  
October 29 2007  
Date



ATTACHMENT A

**Application Data Sheet**

**Application Information**

Application Type::	Regular
Subject Matter::	Utility
Title::	MAGNESIUM DICHLORIDE-BASED ADDUCTS AND CATALYST COMPONENTS OBTAINED THEREFROM
Request for Early Publication?::	No
Request for Non-Publication?::	No
Small Entity::	No
Petition included?::	No

**Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Italy
Status::	Full Capacity
Given Name::	Diego
Family Name::	Brita
City of Residence::	Ferrara
Country of Residence::	Italy
Street of mailing address::	Via Mulinetto 63
City of mailing address::	Ferrara
Country of mailing address::	Italy
Postal or Zip Code of mailing address::	44100
Applicant Authority Type::	Inventor
Primary Citizenship Country::	Italy
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Family Name::	Casalini
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City of mailing address:: Bologna  
Country of mailing address:: Italy  
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Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Italy  
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Family Name:: Evangelisti  
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Country of Residence:: Italy  
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City of mailing address:: Ferrara  
Country of mailing address:: Italy  
Postal or Zip Code of mailing address:: 44100  
Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Italy  
Status:: Full Capacity  
Given Name:: Ofelia  
Family Name:: Fusco  
City of Residence:: Ferrara  
Country of Residence:: Italy  
Street of mailing address:: Via Mulinetto 63  
City of mailing address:: Ferrara  
Country of mailing address:: Italy  
Postal or Zip Code of mailing address:: 44100  
Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Italy  
Status:: Full Capacity  
Given Name:: Gianni

Family Name:: Collina  
 City of Residence:: Ferrara  
 Country of Residence:: Italy  
 Street of mailing address:: Via XXI Aprile 1945, 3, loc. Cassana  
 City of mailing address:: Ferrara  
 Country of mailing address:: Italy  
 Postal or Zip Code of mailing address:: 44044

### Correspondence Information

Correspondence Customer Number:: 34872  
 Phone number:: 410-996-1783  
 Fax number:: 410-996-1560  
 E-Mail address:: william.reid@basell.com

### Representative Information

Representative Customer Number::	34872
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### Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/EP03/013818	11/25/03
PCT/EP03/013818	An application claiming the benefit 35 USC 119(e)	60/435,195	12/20/02
PCT/EP03/013818	An application claiming the benefit 35 USC 119(e)	60/482,697	06/26/03

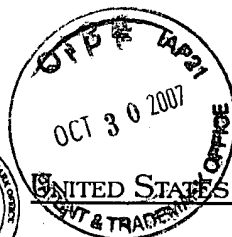
### Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
EP	02080616.2	12/18/02	Yes
EP	03101357.6	05/14/03	Yes

**Assignee Information**

Assignee name:: Basell Poliolefine Italia S.p.A.  
Street of mailing address:: Via Pergolesi 25  
City of mailing address:: Milan  
Country of mailing address:: Italy  
Postal or Zip Code of mailing address:: 20124

ATTACHMENT B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY-DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/537,079	06/01/2005	1755	2000	FE 6106+6085 (US)		30	6

CONFIRMATION NO. 8247

34872  
 BASELL USA INC.  
 INTELLECTUAL PROPERTY  
 912 APPLETON ROAD  
 ELKTON, MD 21921

## FILING RECEIPT



\*OC000000017181669\*

Date Mailed: 10/06/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

~~Brita Diego~~ Ferrara, ITALY;  
 Andrea Casalini, Bologna, ITALY;  
 Daniele Evangelisti, Ferrara, ITALY;  
 Ofelia Fusco, Ferrara, ITALY;  
 Gianni Collina, Ferrara, ITALY;

## Assignment For Published Patent Application

Basell Poliolefine Italia S.p.A., Milan, ITALY ✓

Power of Attorney: The patent practitioners associated with Customer Number 34872.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/13818 11/25/2003 ✓  
 which claims benefit of 60/435,195 12/20/2002 ✓  
 and claims benefit of 60/482,697 06/26/2003 ✓

~~(\*) Data provided by applicant is not consistent with PTO records.~~ ?

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 02080616.2 12/18/2002 ✓  
 EUROPEAN PATENT OFFICE (EPO) 03101357.6 05/14/2003 ✓

Projected Publication Date: 01/12/2006



**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Magnesium dichloride-based adducts and catalyst components obtained therefrom

**Preliminary Class**

502

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **NOT GRANTED**

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called 10/27/05 Ahmed - can't  
 Supervisor's # 703-308-9140 \*220 do anything  
 call super  
 → Kathleen Short  
 called 10/27 - left msg